

## **EXPLANATORY STATEMENT**

*Migration Act 1958*

### **JAPAN AUSTRALIA ECONOMIC PARTNERSHIP AGREEMENT DETERMINATION 2014**

(Subsection 140GBA(2))

1. This Instrument is made under subsection 140GBA(2) of the *Migration Act 1958* (the Act).
2. The purpose of the Instrument is to give domestic effect to Australia's commitments under international trade agreements to which it is party. Such commitments have the status of obligations under international law.
3. The Instrument operates to determine Australia's international trade obligations under which it would be inconsistent for an approved sponsor to be required to satisfy the labour market testing condition for the nominated position.
4. The Department of Foreign Affairs and Trade was consulted on the amendment of this Instrument.
5. The Office of Best Practice Regulation has advised that a Regulatory Impact Statement is not required (OBPR Reference 17922).
6. Under section 44 of the *Legislative Instruments Act 2003* the Instrument is exempt from disallowance and therefore a Human Rights Statement of Compatibility is not required.
7. This Instrument, IMMI 14/113, commences immediately after the Japan-Australia Economic Partnership Agreement enters into force.